

GNE3230R1C69

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Eaton, et al.  
Appl. No. : 10/063,596  
Filed : May 3, 2002  
For : SECRETED AND  
TRANSMEMBRANE  
POLYPEPTIDES AND NUCLEIC  
ACIDS ENCODING THE SAME  
Examiner : Sandra L. Wegert  
Group Art Unit : 1647

DECLARATION UNDER 37 C.F.R. §1.808

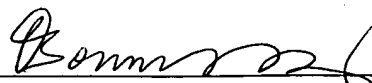
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby aver that the nucleic acid encoding the protein of SEQ ID NO: 90 was deposited with the American Type Culture Collection (ATCC) Sept 15, 1998 and was given ATCC deposit number 203236. Accordingly, the deposited material has been accepted for deposit under the Budapest Treaty on the International Recognition of the deposit of Microorganisms for the Purposes of Patent Procedure and all restrictions on the availability to the public of the material so deposited will be irrevocably removed upon granting of the patent.

GENENTECH, INC.

Date: 8/27/04

By: 

Title: PATENT AGENT